

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MOLLY CRAMER, )  
v. Plaintiff, ) Civil Action No. 3:22-cv-131  
NETFLIX, INC. and ) Judge Stephanie L. Haines  
ROYAL GOODE PRODUCTIONS, LLC, )  
Defendants. )

**DECLARATION OF RUSSELL SMITH IN SUPPORT OF  
DEFENDANTS' MOTION TO DISMISS COMPLAINT PURSUANT  
TO FED. R. CIV. P. 12(b)(6)**

I, Russell Smith, declare as follows:

1. I am an attorney duly licensed to practice in the State of New York, and admitted *pro hac vice* before this Court. I am a partner in the law firm of SmithDehn LLP, attorneys of record for Defendants Netflix Inc. (“Netflix”) and Royal Goode Productions, LLC (“RGP”) (collectively, the “Defendants”).
2. I respectfully submit this declaration in support of Defendants’ Motion to Dismiss Complaint pursuant to Fed. R. Civ. P. 12(b)(6).
3. The facts stated below are true of my own personal knowledge, except for those matters stated on information and belief, which I believe to be true.
4. Exhibit A, which is lodged concurrently with this Declaration, are DVD and USB flash drive copies containing the full first episode of the second season of the "Tiger King" television series at issue in this action.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 22nd day of December, 2022.

By: /s/ Russell Smith

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**CERTIFICATE OF SERVICE**

I, Russell Smith, counsel for the Defendants admitted *pro hac vice*, hereby certify that a true and correct copy of the Declaration of Russell Smith in Support of Defendants' Motion to Dismiss has been served on all parties of record via the Western District's Electronic Case Filing System on this 22nd day of December, 2022.

Dated: December 22, 2022

Respectfully Submitted,

**SMITHDEHN LLP**

/s/ Russell Smith  
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*Attorneys for Defendants Netflix Inc.  
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